



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels 09/11/2022  
AGRI.I.1/CCL/IB/ D Ares (2022)8402086

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**Subject: Your application for access to documents – 2022/5946**

Dear Ms Thibord,

We refer to your request for access to European Commission documents registered on 19 October under the above-mentioned reference number.

Please note that, due to the nature of your request, only a part of it (namely the second part of your second question) may be treated as an access to documents request within the meaning of Regulation (EC) No 1049/2001 on public access to documents<sup>1</sup> (please see below under I). The remaining parts will be treated as a request for access to information (please see below under II).

**I. Access to documents**

You request access to: “[...] *all relevant decisions, correspondence, documents, including any preliminary studies, impact assessments or drafts that could help us understand how ds-RNA-based pesticides were deemed to be relevant for low-risk substances classification.*”

We have identified several documents falling within the scope of your request. You will find enclosed redacted copies of the aforementioned documents.

With regard to the document listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43

- the names/initials and contact details of other natural persons;

Article 9(1)(b) of the Data Protection Regulation applicable to the EU institutions<sup>2</sup> does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you [do not express any particular interest to have access to these personal data nor do you] put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

### **Out of scope: Parts of documents nos 1, 2, 4 and 5**

Please be informed that the above mentioned documents contain information, which is out of scope of your request. For this reason, such information has been redacted.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that documents Nos 1, 2, 3, 4, 5 and 8 are preliminary drafts, which do not reflect the position of the Commission and cannot be quoted as such.

We invite you to consult the Funding and tender portal<sup>3</sup> for a detailed overview of the information and relevant documents which have been already made public.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**by asking for a review via your portal<sup>4</sup> account** (available only for initial requests submitted via the portal account),

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<sup>2</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39

<sup>3</sup> <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/support/ncp;sortQuery=organisationFilter;functions=All Functions>

**or by mail:**

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Bruxelles

**or by email to:** [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu).

## **II. Access to information**

Please find below the information you requested in the form of answers to the questions you have asked.

*1. Could you specify what exactly is covered, for the purpose of the call for proposals “Risk assessment of new low risk pesticides” (HORIZON-CL6-2022-FARM2FORK-01-01), under the following terms:*

- *“ds-RNA-based pesticides”*
- *“new species/strains of microorganisms”*

It was for the applicants to define the terms. ‘New species/strains of microorganisms’ and ‘ds-RNA-based pesticides’ were included as examples of the new so-called low-risk pesticides, together with ‘pheromones, plant extracts, and/or microbiome solutions or a new mode of application with the use of relevant methods’.

*2. The call for proposals “Risk assessment of new low risk pesticides” (HORIZON-CL6-2022-FARM2FORK-01-01) seems to be based on the assumption that ds-RNA-based pesticides are or should be classified as low-risk substances within the meaning of Regulation 1107/2009. Could you explain on which basis this call for proposals was decided, and in particular why it was decided to include ds-RNA-based pesticides in the scope of the call ?*

*Please provide all relevant decisions, correspondence, documents, including any preliminary studies, impact assessments or drafts that could help us understand how ds-RNA-based pesticides were deemed to be relevant for low-risk substances classification.*

The topic “HORIZON-CL6-2022-FARM2FORK-01-01: Risk assessment of new low-risk pesticides” is expected to contribute to the risk assessment of new “so-called” low-risk substances and plant protection products. The inclusion of ds-RNA in the topic is not the result of classification of EFSA or European Commission. Within the scope of this research and innovation action in Horizon Europe, it is mentioned ds-RNA pesticides, among others, to anticipate future risk assessment needs of different types of substances. As mentioned in the topic text: “New products may seek EU market regulatory approval; thus, proposals should consider and address relevant EU regulatory requirements and relevant guidance documents to be followed for the specific hazard characterisation and exposure assessment to achieve an appropriate risk assessment.”

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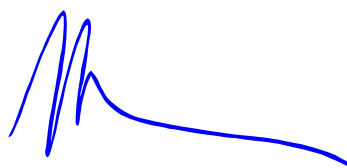
<sup>4</sup> <https://www.ec.europa.eu/transparency/documents-request>

The documents provided shown the development of the topic until publication in the Horizon Europe work programme 2021-2022.

3. *Could you explain what is meant, in the call for proposals, by “the changing nature of low-risk plant protection products”?*

In the context of the topic, this means that so-called low-risk substances could differ largely.

Yours faithfully,



Wolfgang BURTSCHER

Enclosures: 8 documents